

FILED



5:16 pm, 5/7/25

Margaret Botkins
Clerk of Court

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

VS.

YONAIKER ALEXANDER
FERNANDEZ PEDRON,

Defendant,

Case No. 25-MJ-33-ABJ

ORDER DENYING [ECF 12] MOTION FOR ORDER TO STAY RELEASE ORDER
AND MOTION TO REVOKE RELEASE ORDER

This matter has come before the Court on the Emergency Motion to Stay Release Order and Motion to Revoke Release Order [ECF 12] entered on May 7, 2025, in the United States District Court for the District of Colorado in magistrate case 25-MJ-00088-TPO. This court has reviewed the government's Motion to Stay Release Order acknowledging its burden to prove by a preponderance of the evidence that a defendant poses a flight risk. (The United States v Ciseneros, 328 F.3rd 610 at 616.) The court has taken into account the defendants immigration status and the likelihood of his deportation as well as the recent appearance of the defendant and his family in Colorado.

The Court is fully aware that the defendant is a citizen of Venezuela and is present in the United States with his wife and 2 young children. The defendant's sister resides in Denver Colorado while his wife is seeking asylum status and defendant is seeking

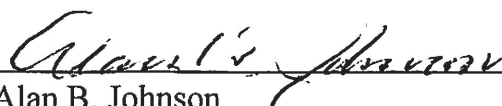
employment pursuant to an authorization to work in the United States. No barriers have been established to indicate that Mr. Fernandez-Pedron is affected by medical or mental issues that may affect his understanding of the requirements imposed by law.

There is no evidence that the defendant has the means or any connection with sources in the United States or elsewhere to facilitate flight. The thorough Release Order prepared by United States Magistrate O'Hara guided by the provisions of the bail reform act (Title 18 U.S.C. §3142 *et seq.*) reflect his consideration of the nature and circumstances of the offense charged in the District of Wyoming, the weight of the evidence, the history and characteristics of the defendant, and the absence of danger posed by the defendant should he be released. Conditions requiring Mr. Fernandez-Pedron to reside in a halfway house, subject to GPS monitoring, and to comply with pretrial supervision minimize any danger the defendant represents and reasonably assures the safety of the community. I agree with the findings contained in the release order suggesting that "other than being charged with a crime in the District of Wyoming, there is nothing specific to justify the defendant's incentive to flee in the present case." His ties to the community, including family members, potential employment, and a posted bond demonstrate multiple incentives to stay in the District of Colorado.

The Court having considered the government's emergency motion, the attached pretrial services report, and the release order concludes that the Motion to Stay Release

Order and Order to Revoke Release Order is DENIED.

Dated this 7th day of May, 2025.



Alan B. Johnson
United States District Judge